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13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA  
15 SAN FRANCISCO DIVISION

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17 UNITED STATES OF AMERICA, ) No. CR 07-0641 SI  
18 Plaintiff, )  
19 v. ) [PROPOSED] ORDER DOCUMENTING  
20 MINH DANG, ) EXCLUSION OF TIME  
21 Defendant. )  
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23 With the agreement of the parties in open court on November 9, 2007, and with the  
24 consent of the defendant Minh Dang (“defendant”), the Court enters this order (1) setting  
25 a hearing on December 7, 2007 at 11:00 a.m. and (2) documenting the exclusion of time  
26 under the Speedy Trial Act, 18 U.S.C. § 3161, from November 9, 2007 to December 7,  
27 2007. The Court finds and holds, as follows:

28 1. The defendant made his initial appearance before this Court on November  
29 9, 2007. Counsel advised the Court on that date that the government had produced  
30 several hundred pages of discovery and would be producing additional discovery in the  
31 near future. Counsel for the defendant needs time to review the discovery and to  
32 investigate the case. Continuing the case until December 7, 2007 will give the defendant

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an opportunity to accomplish this objective. Defense counsel will also be out of the office and unavailable for one week between November 9, 2007 and December 7, 2007.

2. The Court finds that, taking into the account the public interest in the prompt disposition of criminal cases, granting the continuance until December 7, 2007 is necessary for effective preparation of defense counsel and for continuity of defense counsel. See 18 U.S.C. § 3161(h)(8)(B)(iv). Given these circumstances, the Court finds that the ends of justice served by excluding the period from November 9, 2007 to December 7, 2007 outweigh the best interest of the public and the defendant in a speedy trial. Id. § 3161(h)(8)(A).

3. Accordingly, and with the consent of the defendant, the Court (1) sets a hearing for December 7, 2007 at 11:00 a.m. and (2) orders that the period from November 9, 2007 to December 7, 2007 be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

SO STIPULATED.

DATED: November 15, 2007

SCOTT N. SCHOOLS  
United States Attorney

KYLE F. WALDINGER  
Assistant United States Attorney

## SO STIPULATED

DATED: November 15, 2007

IT IS SO ORDERED

DATED:

*Susan Illston*  
SUSAN ILLSTON  
United States District Judge